

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
John J. LEONARD et al.) Examiner C. Garber
Serial No.: 09/603,560) Group Art Unit 286
Filed: June 23, 2000)
For: MOBILE PNEUMATIC)
APPARATUS & METHOD FOR)
TESTING A CONTAINER)
SEAL)

RESPONSE TO JULY 12, 2001 OFFICE ACTION

COMMISSIONER FOR PATENTS
Box Non-Fee Amendment
Washington, DC 20231

Dear Sir:

In response to the Office Action mailed on July 12, 2001, Applicant submits the following Amendments and Remarks and respectfully requests the Examiner to reconsider the rejections made in the Action and to allow the claims at issue. A Reply to the Office Action was due October 12, 2001. Attached is a Request for a Two-Month Extension of Time, with an authorization to charge Deposit Account No. 23-0280. With this extension, the time to respond is now set at December 12, 2001, and accordingly, this Response is timely filed. A duplicate copy of this sheet is attached.

Note, this Amendment and Reply is being submitted in a form required under the amended rule 37 C.F.R. 1.121. Accordingly, two (2) sheets containing the marked-up claims corresponding to the substituted claims, are attached hereto.

AMENDMENT

In the Claims:

Please cancel claims 1-6, 8-11, and 16-22.

Please substitute the following replacement claims for the corresponding pending claims in the application:

7. An apparatus for evaluating the integrity of a seal on a liquid-filled container, comprising:

a tank;

a clamp having a first member and a second member between which a container is engaged, the clamp being positioned with respect to the tank such that at least a portion of a container properly engaged in the clamp will extend into the tank;

a seat adapted to support a portion of a container to establish a desired position of a container with respect to the clamp, wherein the desired portion of a container is such that at least a portion of a container supported by the seat will extend into the tank;

a plate having an aperture, the seat being defined by a marginal edge of the aperture wherein the marginal edge is tapered to define a frustaconical shape; and,

a ram and cylinder operatively connected to the clamp such that the clamp can be

clampingly engaged about a container by relative movement between the ram and the cylinder, the first member is connected to one of either the ram or the cylinder such that the first member is displaced toward the second member by relative movement between the ram and the cylinder.

10. *Leucosia* *leucostoma* (Fabricius) (Fig. 10) is a small, pale, yellowish-green fly, with a black head and thorax, and a black, hairy, segmented abdomen. The wings are transparent, with a few small black spots.

12. An apparatus for evaluating the integrity of a seal on a liquid-filled container, comprising:

 a tank;

 a clamp having a first member and a second member between which a container is engaged, the clamp being positioned with respect to the tank such that at least a portion of a container properly engaged in the clamp will extend into the tank;

 a seat adapted to support a portion of a container to establish a desired position of a container with respect to the clamp, wherein the desired portion of a container is such that at least a portion of a container supported by the seat will extend into the tank;

 means for making an opening in a wall of the container wherein the means is positioned such that the opening can be made while the container is in the seat; and,

 a ram and cylinder operatively connected to the clamp such that the clamp can be clampingly engaged about a container by relative movement between the ram and the cylinder, the first member is connected to one of either the ram or the cylinder such that the first member is displaced toward the second member by relative movement between the ram and the cylinder.

REMARKS

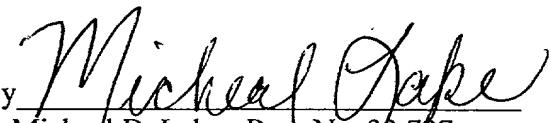
Claims 1-22 are pending in this Application. By this Amendment, claims 7 and 12 have been amended and claims 1-6, 8-11, and 16-22 have been canceled. As a result, claims 7, and 12-15 are at issue in this Application.

In the Allowable Subject Matter section of the Office Action, the Examiner stated that claims 7, and 12-15 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Applicants have the amended claims 7 and 12 into independent form to include the base claim and any intervening claims. These amendments do not narrow the scope of the claims. Claims 13-15 remain as dependent claims from claim 12. Applicants intend to file a continuation application under Rule 1.53b for the claims canceled herein.

CONCLUSION

Based on the foregoing, Applicant submits that claims 7, and 12-15 are in a condition for allowance and respectfully requests an early notice of the same. The Examiner is invited to call the undersigned attorney before issuing the next office action if any issues can be resolved through a telephonic interview.

Respectfully submitted,

By 
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Marked-Up Claims for Response to July 12, 2001 Office Action

7. (Amended) [The apparatus of claim 6, wherein the marginal edge is tapered to define a frustaconical shape] An apparatus for evaluating the integrity of a seal on a liquid-filled container, comprising:

a tank;

a clamp having a first member and a second member between which a container is engaged, the clamp being positioned with respect to the tank such that at least a portion of a container properly engaged in the clamp will extend into the tank;

a seat adapted to support a portion of a container to establish a desired position of a container with respect to the clamp, wherein the desired portion of a container is such that at least a portion of a container supported by the seat will extend into the tank;

a plate having an aperture, the seat being defined by a marginal edge of the aperture wherein the marginal edge is tapered to define a frustaconical shape; and,

a ram and cylinder operatively connected to the clamp such that the clamp can be clampingly engaged about a container by relative movement between the ram and the cylinder, the first member is connected to one of either the ram or the cylinder such that the first member is displaced toward the second member by relative movement between the ram and the cylinder.

12. (Amended) [The apparatus of claim 11, wherein the means for making an opening being positioned such that the opening can be made while the container is in the seat] An apparatus for evaluating the integrity of a seal on a liquid-filled container, comprising:

a tank;

a clamp having a first member and a second member between which a container is engaged, the clamp being positioned with respect to the tank such that at least a portion of a container properly engaged in the clamp will extend into the tank;

a seat adapted to support a portion of a container to establish a desired position of a container with respect to the clamp, wherein the desired portion of a container is such that at least a portion of a container supported by the seat will extend into the tank;

means for making an opening in a wall of the container wherein the means is positioned such that the opening can be made while the container is in the seat; and,

a ram and cylinder operatively connected to the clamp such that the clamp can be clampingly engaged about a container by relative movement between the ram and the cylinder, the first member is connected to one of either the ram or the cylinder such that the first member is displaced toward the second member by relative movement between the ram and the cylinder.